

HONORABLE DAVID G. ESTUDILLO

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GABRIELLA SULLIVAN; RAINIER  
ARMS, LLC; DANIEL MARTIN, SECOND  
AMENDMENT FOUNDATION; and  
FIREARMS POLICY COALITION, INC.,

Plaintiffs,

v.

BOB FERGUSON, in his official capacity as  
Washington State Attorney General; JOHN  
R. BATISTE, in his official capacity as Chief  
of the Washington State Patrol; PATTI  
COLE-TINDALL, in her official capacity as  
Interim Sheriff for King County,  
Washington; JOHN GESE, in his official  
capacity as Sheriff for Kitsap County,  
Washington; RICK SCOTT, in his official  
capacity as Sheriff for Grays Harbor County,  
Washington; DAN SATTERBERG, in his  
official capacity as County Prosecutor for  
King County, Washington; CHAD M.  
ENRIGHT, in his official capacity as County  
Prosecutor for Kitsap County, Washington;  
and NORMA TILLOTSON, in her official  
capacity as County Prosecutor for Grays  
Harbor County, Washington,

Defendants.

Case No. 3:22-cv-05403-DGE

**DEFENDANTS RICK SCOTT AND  
NORMA TILLOTSON'S ANSWER TO  
FIRST AMENDED COMPLAINT**

Defendant RICK SCOTT, in his official capacity as Sheriff for Grays Harbor County,  
Washington, and Defendant NORMA TILLOTSON, in her official capacity as County Prosecutor  
for Grays Harbor County, Washington (collectively "the Grays Harbor Defendants") answer

1 Plaintiffs' First Amended Complaint as follows:

2 **INTRODUCTION**

3 1. In answer to the prefatory statement and paragraphs 1-7, the Grays Harbor  
4 Defendants make no response to the characterization of the Plaintiffs' case and stated legal  
5 conclusions. To the extent the paragraphs contain any allegations of fact, the Grays Harbor  
6 Defendants are without sufficient information to form a belief as to the truth or falsity of the  
7 allegations.

8 **JURISDICTION AND VENUE**

9 2. In answer to paragraphs 8 and 10, the Grays Harbor County Defendants leave the  
10 matters of jurisdiction and venue to the Court.

11 3. In answer to paragraph 9, no response is necessary as it only states the statutory  
12 provisions under which Plaintiffs seek a remedy.

13 **PARTIES**

14 4. In answer to paragraphs 11-19 and 21-22, the Grays Harbor Defendants are without  
15 sufficient information to form a belief as to the truth or falsity of the allegations.

16 5. In answer to paragraph 20, the Grays Harbor County Defendants admit that  
17 Defendant Rick Scott has been named in this action in his official capacity as Grays Harbor County  
18 Sheriff. RCW 36.28.010 sets forth the general duties of all County Sheriffs in Washington State  
19 and the statute speaks for itself.

20 6. In answer to paragraph 23, the Grays Harbor Defendants admit that Defendant  
21 Norma Tillotson has been named in this action in her official capacity as Grays Harbor County  
22 Prosecuting Attorney. RCW 32.27.020 sets forth the duties of all County Prosecuting Attorneys in  
23 Washington State and the statute speaks for itself.

24 **FACTUAL ALLEGATIONS**

25 7. In answer to paragraphs 24-51, the Grays Harbor County Defendants admit that  
26 Engrossed Substitute Senate Bill 5078 was signed by Washington Governor Jay Inslee on March  
27 23, 2022, and that the statutes codified at RCW 94.41.010 and 9.41.370 speaks for themselves.

1 The Grays Harbor County Defendants are without sufficient information to form a belief as to the  
2 truth or falsity of the remaining factual allegations.

3 **STATEMENTS OF FACTS RELATING TO GABRIELLA SULLIVAN, RAINIER ARMS**  
4 **LLC, AND DANIEL MARTIN**

5 8. In answer to paragraphs 52-72, the Grays Harbor Defendants are without sufficient  
6 information to form a belief as to the truth or falsity of the allegations.

7 **COUNT ONE**

8 9. In answer to paragraphs 73-80, the Grays Harbor Defendants make no response to  
9 the stated legal conclusions.

10 **PLAINTIFFS' RELIEF**

11 10. The Grays Harbor County Defendants do not take a position on whether Plaintiffs  
12 are entitled to relief in this action with respect to their declaratory, injunctive, equitable or  
13 alternative legal remedy requests related to the constitutionality of Engrossed Substitute Senate  
14 Bill 5078.

15 11. The Grays Harbor County Defendants deny that Plaintiffs are entitled to actual,  
16 compensatory, punitive, or nominal damages against them.

17 12. The Grays Harbor County Defendants deny that Plaintiffs are entitled to costs and  
18 attorneys' fees and expenses under 42 U.S.C. § 1988 against them.

1 DATED: August 15, 2022

2 LANE POWELL PC

3  
4 By: s/ Callie A. Castillo

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11 Attorneys for Attorneys for Defendants Rick Scott  
12 and Norma Tillotson  
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CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2022, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

By s/Callie A. Castillo  
Callie A. Castillo, WSBA No. 38214